

AMENDMENTS TO THE DRAWINGS:

Please find accompanying this response replacement sheets for Figs. 13-15 wherein amendments explained in the Remarks presented below are effected.

REMARKS

The above amendments and following remarks are responsive to the Office Action of November 30, 2004. Reconsideration of the application and a notice of allowance are earnestly solicited.

The Examiner has objected to Figures 13-15 for failing to contain the legend "Prior Art." Applicant provides herewith replacement sheets for Figures 13-15 which contain the legend "Prior Art". The drawings have been further objected to because the Examiner asserts that the claimed synthetic resin cap body is not clearly illustrated in the drawings. Applicant has overcome the objection by providing a clarifying amendment to the Claim 5 so that the recitation of "said cap body is made of a synthetic resin molded part..." is replaced with "the upper and lower members of the cap body are formed of synthetic resin." Support for this amendment is found on page 6, line 21 of the application.

Claims 1 and 3-5 are pending and Applicant expresses appreciation to the Examiner for determining that claims 3 and 5 have been found to contain allowable subject matter and would be allowed if Claim 3 were rewritten to contain the limitations of Claim 1.

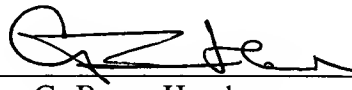
Claim 1 stands rejected under 35 U.S.C. §102 (a) as being anticipated by JP 2000-186554. Claim 4 has been rejected under 35 U.S.C. §103 (a) as being unpatentable over JP '554, where the Examiner acknowledges that JP '554 fails to

teach, and asserts that the ordinary skill in the art teaches, forming a cap body from a synthetic resin molded part and forming a filler neck from a cup-shaped metal plate whose lower end is opened.

In view of the claim rejections, Applicant has amended Claim 3 to include the limitations of Claim 1 and amended Claim 5 to include the limitations of claims 1 and 3.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,
JORDAN AND HAMBURG LLP

By 
C. Bruce Hamburg
Reg. No. 22,389
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340